

MINUTES OF REGULAR MEETING HELD BY THE BOARD OF TRUSTEES OF THE VILLAGE OF QUOGUE, 7 VILLAGE LANE, QUOGUE, NEW YORK, ON FRIDAY, JANUARY 20, 2012 AT 4:00 P.M.

PRESENT: Mayor Peter S. Sartorius, Trustees Randy Cardo, Jeanette Obser and Kimberley Payne, Village Attorney Richard E. DePetrus and Village Clerk Marcia Rose Koziarz

ABSENT: Trustee Ted Necarsulmer

OTHERS PRESENT: Fire Department Chief Tim Shea, Chief Building Inspector Bill Nowak, Preston Jankowski, Kittric Motz, Lee Wadelton, Theresa Fontana, Wyck Codington and Erin McKinley of The Southampton Press

The Mayor invited everyone to join him in the Pledge of Allegiance.

Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, the minutes of regular meeting held on December 16, 2011 are hereby approved.

Upon motion made by Jeanette Obser, seconded by Randy Cardo and unanimously carried, the Abstract of Audited Vouchers Schedule 01-12, \$260,153.81 and Treasurer's Report for the Month ending December 31, 2011 is hereby approved as follows:

\$ 42,061.38 Checking Account  
\$6,543,889.05 Investments  
\$6,585,950.43 Total General Fund 12/31/11

The Clerk gave the report for December 2011 False Fire and Burglar Alarms as follows:

Burglar Billed: \$450.00; Burglar Collected: \$450.00  
Fire Billed: \$0; Fire Collected: \$750.00

Fire Department Chief Tim Shea gave the report for the Fire Department. Chief Building Inspector Bill Nowak gave the report for the Building Department. Mayor Peter S. Sartorius gave the report for the Police Department as the Police Chief and Police Lieutenant were unable to attend the meeting.

Upon motion made by Jeanette Obser, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, a budget transfer in the amount of \$1,000.00 from Revenue Account A2705 (Donations) to A3120.411C (Special Equipment) for a grant received from Walmart for law enforcement purposes is hereby approved.

Upon motion made by Jeanette Obser, seconded by Randy Cardo and unanimously carried, it was RESOLVED, a budget transfer in the amount of \$1,992.00 from A1325.490 (Clerk-Misc) to A1325.210 (Clerk-Furniture) for the purchase of six file cabinets for records management is hereby approved.

Upon motion made by Kimberley Payne, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, that the General Village Election of the Village of Quogue, New York will be held on Friday, June 15, 2012. The polling place for the 2012 General Village Election shall be at the Quogue Firehouse, Jessup Avenue, Quogue, New York. The polls shall open at 12:00 noon and close at 9:00 p.m. prevailing time and the offices to be filled at said General Village Election are hereby approved and the terms thereof are as follows:

Trustees – two (2) for the term of two (2) years

Mayor – one (1) for the term of two (2) years

Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, it was RESOLVED, the certified amount of unpaid Village taxes for the year 2011-2012 submitted by the Treasurer of the Village of Quogue, and as provided in Section 1454 of the Real Property Tax Law of the State of New York, has been compared with the original tax roll and has been found to be correct and the amount of unpaid taxes is \$33,081.31 (see listing attached) and further

RESOLVED, the unpaid Village taxes for the fiscal year of June 1, 2011 to May 31, 2012 will be sold by Public Tax Sale at which sale certificates of tax liens for such unpaid taxes shall be properly sold with interest and advertising fee (\$25); such tax sale shall be held in the manner provided by law, at 9:15 A.M. on Tuesday, March 13, 2012 and notices of such tax sale to be published in the Southampton Press-Western Edition for three (3) consecutive weeks in issues dated 02/23/12; 03/01/12 and 03/08/12 in accordance with the statutory law is hereby approved.

Upon motion made by Jeanette Obser, seconded by Randy Cardo and unanimously carried, it was RESOLVED, a maintenance and service agreement with Fitness Showrooms for the period of January 2012 to January 2013 for one visit for the cleaning, lubrication and adjustments to 5 exercise units in the Village gym at cost of \$570.00 to be funded one half through the Tifft Fund T93PD & one half through Tifft Fund T93FD is hereby approved.

Upon motion made by Kimberley Payne, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, the renewal of maintenance agreements and service contracts in the aggregate amount of \$2,562.00 from Durand H.V.A.C. Systems, Inc. for the heating systems for the Police and Highway Departments and the heating and A/C systems for the Fire House and Gym for the period of 2/1/12 to 1/31/13 is hereby approved.

Upon motion made by Kimberley Payne, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, the following appointments to the Ethics Board established pursuant to Section 31-9 of the Quogue Village Code are hereby approved:

<u>Name</u>	<u>Term Expiring</u>
Cristina H. Kepner	June 30, 2013
Marcia Rose Koziarz	June 30, 2012
James E. Tolan	June 30, 2014

Upon motion made by Jeanette Obser, seconded by Randy Cardo and unanimously carried, it was RESOLVED, a quote from DC Electric Inc. in the amount not to exceed \$15,000.00, for repairs to street lights that were vandalized on 12/28/11 at Midhampton Court and Suffolk Avenue, to be funded from A5182.446 (Street Lighting-Contractual Service) and approve a budget transfer from funds obtained from Revenue Account A2680 (Insurance Recovery) to A5182.446 (Street Lighting-Contractual Service) with any remaining funds (not covered by insurance) to come from A1990.400 (Special Items-Contingent Account) is hereby approved.



Upon motion made by Kimberley Payne, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, the introduction of Local Law No. \_\_\_\_ of 2012, authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c is hereby approved to be scheduled for a public hearing at the next Village Board meeting held on Wednesday, February 15, 2012 at 4:00 PM.

Local Law No. \_\_\_\_ of 2012

A Local Law Authorizing A Property  
Tax Levy In Excess Of The Limit Established  
In General Municipal Law §3-c

Section 1. Legislative Intent.

It is the intent of this local law to allow the Village of Quogue to adopt a budget for the fiscal year commencing June 1, 2012 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override.

The Board of Trustees of the Village of Quogue is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2012 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect , impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.

Upon motion made by Jeanette Obser, seconded by Randy Cardo and unanimously carried, it was RESOLVED, the introduction of Local Law No. \_\_\_\_ of 2012, amending Section 103-3 of the Quogue Village Code Pertaining to the uses and placement of trash containers is hereby approved to be scheduled for a public hearing at the next Village Board meeting held on Wednesday, February 15, 2012 at 4:00 PM.

Local Law No. \_\_\_\_ of 2012

A Local Law Amending §103-3 Of The  
Village Code With Respect To Use And  
Placement Of Refuse Or Garbage Containers

Section 1. §103-3 is hereby amended to read as follows:

§103-3. Use and placement of containers.

A. No person shall place any refuse or garbage upon any private property, whether owned by such person or not, within the Village of Quogue, except that it be in durable containers suitable for collection by refuse collectors.

B. No person shall place any such refuse or garbage containers outside of a building unless such containers are located behind the front wall of the building which is nearest to the street upon which the private property is located and are screened from visibility from the street, except as otherwise provided in subsection C.

C. On the day of a scheduled collection of such refuse or garbage, such containers may be placed outside of a building for collection without complying with subsection B, provided that such containers are placed as close as reasonably practical to the house, garage or other building. Such containers shall be removed from the location permitted by this subsection C by the end of the day of collection.

D. No such containers shall be placed upon any public or private street, except such as may be placed thereon by the Village of Quogue for public purposes.

Section 2. This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.

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Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, it was RESOLVED, the introduction of Local Law No. \_\_\_\_ of 2012, amending Section 196 B(11) of the Quogue Village Code Pertaining to a basketball hoop and backboard as a permitted accessory structure in residence districts is hereby approved to be scheduled for a public hearing at the next Village Board meeting held on Wednesday, February 15, 2012 at 4:00 P.M.

Local Law No.        of 2012

A Local Law Amending §196-13B(11)(a)  
Of The Village Code With Respect To  
Basketball Hoops And Backstops

Section 1. §196-13B(11)(a) is hereby amended to read as follows:

(a) If attached to a building (the dwelling or an accessory building) or a detached supporting structure (such as a pole) in a manner designed to utilize part of the driveway associated with a building as a playing surface, the driveway associated with a building may be utilized as a playing surface for the accessory basketball activity, and such driveway surface need not comply with setback requirements applicable to accessory structures.

Section 2. This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.

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The Mayor reported that an application to establish an eruv had been received from the East End Eruv Association. He said that it is expected to be heard at the March meeting of the Board of Trustees, which may need to be rescheduled.

With no further business to discuss and upon motion made by Kimberley Payne, seconded by Jeanette Obser and unanimously carried, the meeting was adjourned at 4:38 P.M.

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Marcia Rose Koziarz, Village Clerk

Meeting Adjourned: \_\_\_\_\_ PM